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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/634,843

08/06/2003

Akira Maruyama

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23850 7590 05/25/2010
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EXAMINER

PHANTANA ANGKOOL, DAVID

ART UNIT

PAPER NUMBER

2175

MAIL DATE

DELIVERY MODE

05/25/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/634,843</p>	<p>Applicant(s) MARUYAMA ET AL.</p>	
	<p>Examiner David Phantana-angkool</p>	<p>Art Unit 2175</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 May 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175

Continuation of 11. does NOT place the application in condition for allowance because: In response to the statement: "Regarding the rejections under 35 U.S.C. 103 (a), the Office Action, on pages 6-7 states: "While bloomfield...as taught by Bonura". " (Applicants' Remarks, Pg. 7).

The Office respectfully disagrees.

It is noted that the last Office Action mailed 03/02/2010 Pgs. 6-7 are directed to Response to Arguments and not 35 USC 103(a) as stated by the Applicants above.

Applicants assert "Bloomfield et al. fails to disclose the feature "the activation processing unit...making a window active, which corresponds to a title emphatically displayed" as recited in Claims 1 and 11." (Applicants' Remarks, Pg. 8).

The Office respectfully disagrees.

It is noted that the last Office Action relies on Bonura and not Bloomfield to teach the limitations above, see Office Action mail date Pg. 3. Bloomfield in combination with Bonura teaches all the limitations in claims 1 and 11 including the above.

Applicants assert "On the other hand, Bonura et al. merely teaches displaying a window after a predetermined time has elapsed. That is, Bonura et al. fails to disclose the feature "said activation processing unit ... making a window active, which corresponds to a title emphatically displayed when a predetermined time after another window was made active last time has elapsed" as recited in present Claims 1 and 11." (Applicants' Remarks, Pg. 8).

The Office respectfully disagrees.

The applicant did not provide a clear rationale as to why Bonura does not teach the above limitations. It is noted that Bloomfield in combination with Bonura teaches the above limitations. Bonura teaching is directed to a displaying a window after a predetermined time has elapsed in column 6, lines 13-29 and column 5, lines 53-61. When the system renders a window after a predetermined amount of time, the systems has an activation processing unit that switches a window to be activated by making a window active. Furthermore Bonura teaches a window displaying a title in column 6, lines 8-10. Lastly, Bonura allows the user to set the predetermined time for which the system will render the window. From the rationale presented above, Bloomfield in combination with Bonura clearly teaches the above limitations.